

(1)

CS DJ No. 1054/2022
Rahul Sharma
Vs
Rajat Sharma & Ors
CNR No. DLCT01-013732-2022
03.03.2025

Present :- Plaintiff in person.
Sh. Deepak Singh Thakur, Ld. Counsel for the
defendant no. 1 and 2 (joined through VC).
Sh. Khursheed Ahmed, Ld. counsel for the
defendants no. 3 and 4.

In the affidavit of admission/denial filed on behalf of
defendants no. 1 and 2, defendants have admitted the following
documents-

- (a) copy of dissolution deed dated 08.04.1970
- (b) copy of sale deed dated 09.09.1970
- (c) copy of gift deed dated 28.07.2017
- (d) copy of legal notice dated 17.05.2022 issued on behalf of
defendant no. 1
- (e) copy of medical report of Late Sh. Rajender Kumar Sharma
are neither admitted nor denied as the same being a photocopy.
- (f) copy of reply dated 24.06.2022 is denied.

In the affidavit of admission/denial filed on behalf of
defendant no. 3, defendant no. 3 has admitted the following
documents-

- (a) copy of dissolution deed dated 08.04.1970
- (b) copy of sale deed dated 09.09.1970
- (c) copy of complaint dated 16.10.2021
- (d) copy of medical reports of Late Sh. Rajender Kumar Sharma

Rest of the documents are denied.

(2)

In the affidavit of admission/denial filed on behalf of defendant no. 4, defendant no. 4 has admitted the following documents-

- (a) copy of dissolution deed dated 08.04.1970
- (b) copy of sale deed dated 09.09.1970
- (c) copy of complaint dated 16.10.2021
- (d) copy of medical reports of Late Sh. Rajender Kumar Sharma

Rest of the documents are denied.

In the affidavit of admission/denial filed on behalf of plaintiff, plaintiff has denied both the documents filed on behalf of defendants no. 1 and 2.

Process of admission/denial stands concluded.

The pleadings are complete.

On the basis of pleadings and documents on record, the following issues are framed -

- (1) Whether the suit of the plaintiff is barred by limitation ?
OPD 1 and 2
- (2) Whether plaintiff is entitled to a decree of declaration thereby declaring the gift deed dated 28.07.2017 as null and void ? OPP
- (3) Whether the plaintiff is entitled to a preliminary decree of partition qua the suit property bearing shop no. 3699 as prayed for ? OPP
- (4) Whether the plaintiff is entitled to a final decree of partition qua the suit property bearing no. 3699 as prayed for in clause A of the relief ? OPP
- (5) Whether the plaintiff is entitled to a decree of declaration qua the suit property bearing no. 3699 as prayed for in clause A of the relief ? OPP

(3)

(6) Whether plaintiff is entitled to a decree of mandatory and permanent injunction as prayed for ? OPP

(7) Relief.

No other issue arises or is pressed for.

List of witnesses be filed by both the parties within a period of two weeks from today with advance copy to the opposite party against acknowledgment.

Affidavits of evidence of all the witnesses of the plaintiff be filed within a period of two weeks from today with advance copies to Ld. Counsel for the defendant atleast three days prior to the next date of hearing.

Plaintiff witnesses are directed to be present in person on the next date of hearing.

Put up for PE on **21.04.2025**.

(Shagun Sharma)
DJ-12 Central, THC,
Delhi/03.03.2025